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Statement by Sir Adam Beck...

Toronto

1923

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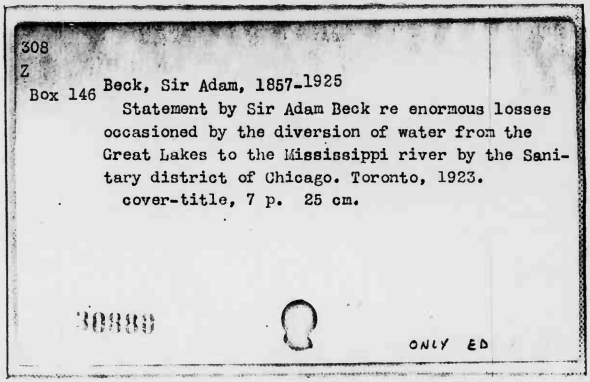
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STATEMENT

BY

SIR ADAM BECK

RE

ENORMOUS LOSSES

OCCASIONED BY THE

DIVERSION OF WATER

FROM THE

GREAT LAKES TO THE MISSISSIPPI RIVER

BY THE

SANITARY DISTRICT OF CHICAGO

TORONTO
AUGUST—1923

Gyf 4
The Hydro-Electric Power Commission
11-23-23

STATEMENT
RE
ENORMOUS LOSSES
OCCASIONED BY THE
DIVERSION OF WATER
FROM THE
GREAT LAKES TO THE MISSISSIPPI RIVER
BY THE
SANITARY DISTRICT OF CHICAGO

IN a press dispatch from Chicago under date of the 19th of July, 1923, President William J. Healy of the Sanitary District of Chicago is credited with stating that "there is not now any dispute between the Canadian authorities and the Sanitary District of Chicago," adding that "it was to eliminate the possibility of one that we took this trip."

The Sanitary District of Chicago is the territory, including the City of Chicago and its outlying areas, over which a specially appointed Board exercises jurisdiction in respect of matters of sanitation.

President William J. Healy, accompanied by a number of officials of the Sanitary District of Chicago, recently made a tour through eastern Canada, visiting Toronto, Ottawa and other places.

The object of this visit was to facilitate negotiations looking towards an adjustment of the difficulties in which the Sanitary District of Chicago finds itself by reason of its illegal diversion of water from the Great Lakes system to the Mississippi river. The water is diverted for the purpose of diluting the sewage effluent with sufficient water to render it inoffensive. The Sanitary District has, at

INTENTIONAL SECOND EXPOSURE

Gift 4
The Hydro-Electric Power Commission
11-23-23

Op Dec 4, 1923

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times, been diverting an amount of water which is about equal to the amount which passes over the American fall at Niagara.

The visiting committee announced that it was seeking authority from the United States Congress for the use of the water now being diverted from the Great Lakes system, and in this connection the committee evidently desired, if possible, to allay any opposition from Canadian interests on account of the great loss which Canadian interests have sustained by reason of this diversion.

As a remedial measure, the Sanitary District, according to its own statement, proposes to construct regulating works, one in the Niagara river below Buffalo and another in the St. Lawrence river at Galops Rapids at an estimated cost of $2,500,000, to be borne by the Sanitary District.

It is contended by the Sanitary District officials that these remedial works will restore the lake levels which have been disadvantageously affected by the diversion at Chicago.

Now, the whole subject to which these facts relate is one which has not been properly presented to the Canadian public by the visiting committee, and, moreover, such statements as have been made really tend to confuse the issue. The object which the Sanitary District of Chicago seeks to attain is one of such vital importance to Canada as a whole and to the water power situation of the Province of Ontario in particular that statements such as have been published in the press as a result of the visit of the Sanitary District officials cannot go unchallenged.

Navigation Interests Seriously Injured

It is, of course, an obvious fact that the abstraction from the watershed of the Great Lakes of any large quantity of water such as the Chicago Sanitary District is diverting, must materially affect the levels of the Great Lakes, producing, in consequence, a serious effect upon navigation. This aspect of the diversion is not denied but is acknowledged by all the authorities that have dealt with the effect of Chicago's diversion. The United States Secretary of War, in an official decision, refusing a former request from the Sanitary

District of Chicago for 10,000 cubic feet of water per second from lake Michigan, stated that such diversion

> "would substantially interfere with the navigable capacity of the navigable waters in the Great Lakes and their connecting rivers."

and he emphasized

> "that the provisions of the Canadian Treaty for a settlement by joint commission of 'questions or matters of difference' between the United States and Canada offer a further reason why no administrative officer should authorize a further diversion of water, manifestly so injurious to Canada, against Canadian protest."

Every important navigation interest, from the head of the Great Lakes to the sea, has presented itself at the bars of various tribunals petitioning for remedy against loss to its navigation interests. The proposal of the Sanitary District is to install the regulating works just referred to so that they may be operated in a manner which will so far as possible, restore the levels for navigation. No matter what may be the means adopted for regulating the levels of the Great Lakes their connecting waterways and the St. Lawrence river, it is clear that with 10,000 additional cubic feet per second the regulation could be made just that much better. In other words, it is impossible, by artificial means, to compensate the international waters for the thousands of cubic feet of water which are being continuously diverted from them by the Sanitary District. It is not my purpose to enter into any discussion of the navigation aspects of the situation. Navigation is an interest under the jurisdiction of federal authorities and it is assumed that the federal authorities of Canada will spare no effort to fully safeguard Canada's interests in this respect.

Sanitary District of Chicago Ignores Court

The Court in the United States has declared against the large diversion being made by the Sanitary District of Chicago, but the Sanitary District has simply ignored such authoritative order against its diversion.

Canada's Power Resources are Sacrificed

It is my desire here to refer to the tremendous loss which the whole Dominion sustains by the illegal diversion at Chicago by reason of losing the hydro-electrical energy which might be developed from the large quantity of water which Chicago is diverting.

Chicago has a right, so far as independent sanction by the United States is concerned, to divert 4,167 cubic feet of water per second. This right, however, so far as I am aware, Canada has never conceded nor recognized.

The Sanitary District has not respected even the limitations of this 4,167 cubic feet, but has been diverting in excess of 8,000 cubic feet per second, and, it has been rumored, has, at times, been diverting some 10,000 cubic feet or possibly more of water per second. This water, as just stated, is used for diluting the sewage of the city of Chicago and of other places of the Sanitary District and is also employed for the development of hydro-electrical energy for the supply of light and power to places in the Sanitary District.

The development of hydro-electrical energy is an important factor in the operations of the Sanitary District. Even this phase of the Sanitary District's work, however, is conducted at the expense of other portions of the country, both in this Dominion and in the neighboring Republic. The power developed from the diverted water utilizes only a relatively small head on the water course through which the diluted sewage passes to the Mississippi river; whereas this same water would develop many times the power if flowing to the sea *via* the Niagara and St. Lawrence rivers. If ten thousand cubic feet of water per second were diverted by Chicago and were returned to its natural channel then it would develop at the falls and rapids in the Niagara and St. Lawrence rivers approximately 500,000 horsepower of which over 300,000 horsepower would belong to Canada—it will be recalled that a portion of the St. Lawrence river lies wholly in Canadian territory.

Upon a conservative basis 500,000 horsepower may be considered the equivalent of 5,000,000 tons of coal per annum and, at a recent price of soft coal, the equivalent of about thirty-five million dollars per year.

Compensation Works not a Compensation for Great Power Lost

Obviously, the proposal to make an investment in some permanent works of only $2,500,000 as is proposed by the Sanitary District, could not be taken into serious consideration as a means of compensating for *an annual loss* of upwards of $35,000,000.

Now, the feature which cannot be too strongly emphasized is that it is impossible for the Chicago Sanitary District or any other agency to do anything by means of the regulation of levels of the Great Lakes to compensate the Dominion of Canada for its loss in the international waters which Chicago is diverting. *No matter what is done in the way of compensating for levels, after the compensation is accomplished,* 10,000 *cubic feet of water per second diverted from the Great Lakes could be restored to the Great Lakes and rivers and contribute, as an addition, all the benefits derivable from such quantity of water.*

It is illegal without proper sanction to divert international waters from their natural course. These waters are the joint property of both countries. Every foot of water, therefore, which Chicago takes out of the Great Lakes is a direct loss to the Dominion of Canada and is a loss, also, to the state of New York and to every state that might benefit from the United States' share of the diverted waters if allowed to course *via* their natural channel to the Atlantic.

There is another feature which should be appreciated, and that is that even if remedial works are put in for the restoring of desired levels for navigation, the maintenance of such levels will doubtless require the holding back of water for storage purposes in order to maintain the levels, which water will be withheld at the expense of the flow which otherwise would be available for power.

The state of Michigan, the state of Wisconsin, the state of New York, the provinces of Ontario and of Quebec and the federal governments both of the Dominion of Canada and of the United States, have all registered strong protest against such illegal diversion of the waters of the Great Lakes as is being made by the Sanitary District of Chicago.

Where Will the Diversion Stop?

These various protests have, in effect, been ignored. The Sanitary District has continued to divert water greatly in excess of the 4,167 cubic feet per second for which it has the sanction of its own Government, but, as stated, not the sanction of the Government of Canada. It cannot too clearly be understood that the Sanitary District is not seeking permission to divert water in excess of the 4,167 cubic feet per second, because the Sanitary District actually is diverting water in excess of this licensed quantity even up to some 8,000 or 10,000 cubic feet per second without securing permission from the proper authorities.

The Sanitary District, when designing its canals, evidently contemplated the course which it has pursued. The Chief of Engineers of the United States War Department in a memorandum to the Secretary of War stated that the canal works "are now found to be large enough for a total diversion of 14,000 sec. ft."; and, in fact, the late Chief Engineer of the Sanitary District himself stated that it was his hope and intention to excavate a channel with a capacity of 16,667 cubic feet per second.

The Sanitary District has been pursuing its own course and what it seeks to-day is governmental sanction for that which it has been doing and is still doing illegally.

Canada's Lost Power Entails Great Annual Loss

President Healy does not refer to some of the prominent features which must necessarily govern in any consideration involving Canada's interests as affected by the illegal diversion at Chicago. For example, even granting, for purpose of discussion, that the $2,500,000 would provide such compensatory works as the Sanitary District officials propose, such works would never compensate Canada for *an annual loss* of nearly ten times such a sum, that is to say, for the loss of a revenue equivalent to what would be produced from an investment of about $400,000,000.

When the time comes that a satisfactory recognition of Canada's rights may be secured, Canadian interests will not be sacrificed. Meantime, it is desirable that the citizens of the Province of Ontario should know that there is nothing in the suggestions made by the officials of the Sanitary District who recently made the tour through

Canada which are other than detrimental to the great water-power resources of this Dominion and of the Province of Ontario, and it is with this object that I have felt led to make a public statement respecting the true significance of the proposals which have so plausibly been presented.

Three hundred and fifty municipalities in the Province of Ontario comprising practically all the cities, towns and villages in the more settled portions of the Province, and including the cities of Toronto, Hamilton, London, Ottawa, Kitchener, Brantford and Windsor, have invested in their municipally-owned hydro-electrical undertaking $250,000,000, and in the future this amount will annually be increased by millions of dollars.

The Province of Ontario owns the surplus waters flowing in boundary waters, including the St. Lawrence river, and the municipalities of Ontario do not propose that their large investments in their municipal hydro-electrical undertaking shall remain under the serious handicap consequent upon the diversion by the Sanitary District of Chicago of such a substantial portion of the flow of the Niagara and St. Lawrence rivers. By virtue of the fact that the Province of Ontario owns the surplus waters in international waterways bounding the Province, the diversion at Chicago occasions a loss which, especially from the water power standpoint, falls directly upon the citizens of the Province of Ontario.

The action of the Sanitary District of Chicago in illegally diverting from the Great Lakes system the enormous quantity of water which is being turned into the Mississippi river is an act without parallel on the American continent. The citizens of Canada, and especially the citizens of Ontario, are concerned to know how much longer the United States authorities will permit the officials of the Sanitary District of Chicago to continue the diversion in defiance of every interest excepting the interests of the Sanitary District itself.

It is important for the citizens of this country fully to understand the significance of what is being attempted by the recent visit of the missionaries of the Sanitary District. Certainly, the citizens of Ontario are not misled by such inadequate and superficial propositions as have recently been presented by the officials of the Sanitary District of Chicago.

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